England – Treaties, etc – Commonwealth
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ARTICLES
OF
Peace, Union and Confederation,
Concluded and Agreed
between his Highneſs
OLIVER Lord PROTECTOR
Of the Common-wealth of
ENGLAND, SCOTLAND & IRELAND,
and the Dominions thereto belonging.

And the Lords the STATES GENERAL
of the United Provinces of the
NETHERLANDS.

In a Treaty at *Weſtminſter* bearing date the fift of *April* Old Style, in the year of our Lord God 1654.

Printed and Publiſhed by his Highneſs Special command.

London, Printed by *William du-Gard* and *Henry Hills*, Printers to His Highneſs the Lord Protector, 1654.

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ARTICLES OF THE PEACE.

I.

IT is agreed, concluded, and accorded, That from this day forward there shall be a true, firm and inviolable Peace, more sincere Friendship, and nearer Alliance, Union and Confederation than heretofore, betwixt the Common-wealth of England, and the States General of the United Provinces of the Netherlands, and the

respective Lands, Countries and Cities, without distinction of Places, under their obedience, and the people and inhabitants of them, respectively of what quality and condition soever they be.

II.

Item, Agreed, That from henceforth all Enmity, Hostility, Discord, and War betwixt the said two Commonwealths, their People and Subjects, shall cease, and each party shall hereafter abstain from all Offences, Spoils, Depredations, and Injuries by Sea, Land and Fresh-Waters in all their respective Lands, Countries, Dominions, Places, or Governments whatsoever.

III.

Item, That all Offences, Injuries, Charges and Dammages, which either party hath sustained by the other since the [illegible] of May, in the year one thousand six hundred fifty two, shall be taken away and forgotten in such manner as that hereafter neither party shall pretend any matter against the other for or upon occation of any the aforesaid Offences, Injuries, Charges and Dammages; But that there shall be a perfect abolition of all and every of them untill this present day. And all actions for the same shall be held and reputed void and null.

IV.

That all Prisoners of both sides of what Condition, or in whatsoever Place they be, shall be set at liberty, without ransom or consideration given for them.

V.

V.

That the two Common Wealths shall remain confederate friends, joyned and allyed together for the Defence and Preservation of the Liberties and Freedom of the People of each against all whomsoever, who shall attempt the Disturbance of either State by Sea or Land, or be declared Enemies to the Freedom and Liberty of the People living under either of the said Governments.

VI.

That neither of the Common-Wealths shall make, do, act, treat of, or attempt any thing against the other, or the People of either, in any place either at Land or Sea, or in any the Havens, Creeks, Precincts, or Fresh-waters of either, upon any occasion Whatsoever. Nor that either of them, or the People of either give, yield, or afford any aid, counsel, favour, or assent that any thing shall be done, treated of, or attempted by any other Whomsoever, to the injury and Wrong of the other, or the People of either, but shall expresly and with effect contradict, gainsay, oppose, and really hinder all Whomsoever abiding or dwelling within either of the Common-Wealths respectively, who shall be under their power that act, do, treat of, or attempt any thing against either of the Common-Wealths.

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VII.

That neither of the Common-wealths, or the People abiding, inhabiting, or dwelling within either of them respectively, or within their power, shall yield give, or afford any aid counsel or favour to the Enemies or Rebells of either, but shall expresly, really, and with effect hinder any inhabiting, dwelling or abiding within either of them or within their power, from giving any aid or assistance unto such Enemies or Rebells, by Men, Shipping, Arms, Ammunition, Money, Victuals, or otherwise by Sea or Land: and all such ships, Arms, Ammunition, Money, Goods, or Victuals, of or belonging to any person or persons whatsoever, that shall be provided, employed or made use of, contrary to the intent of this Article, shall be confiscate and forfeited to the respective Common-Wealths. And the person or persons who shall wittingly and willingly do, attempt, counsel or be employed therein, shall be declared Enemies to both Common-Wealths, and shall suffer the pains and penalties of Treason within the Common-Wealth where the Offence shall be committed. And to the end there may be a specification made of what Goods shall be deemed, product, or contraband, Commissioners may in convenient time be appointed to determine therein. Provided in the mean time that this extend not to the impeachment of any thing contained in the present Article.

VIII.

VIII.

That the two Common-wealths shall truly and sincerely assist each other, as need shall require, against the Rebells and Enemies of either, at Sea and Land, with Men & Ships, at the Costs and Expences of the party requiring the same, in such proportion and manner and upon such Terms and Conditions as the two States shall agree, and the present occasion require.

IX.

That neither of the Common-wealths, or the People of either shall receive into any of their Jurisdictions, Countries, Lands, Ports, Creeks, or Precincts, any person or persons, that are or shall be declared by either of the Common Wealths to be Enemies, Rebells or Fugitives of the other; Nor shall give, yield or afford to any such declared Enemy, Rebell or Fugitive within the places aforesaid, or other-where, though out of their Territories, Countries, Lands, Ports, Creeks, or Precincts, any aid, counsel, Lodging, Entertainment, Souldiers, Ships, Money, Arms, Ammunition or Victuals. Nor shall either of the States permit such Enemies, Rebells or Fugitives to be received by any person or persons whatsoever into their Jurisdictions, Countries, Lands, Ports, Creeks, or Precincts, nor shall suffer any Aid, Counsel, Lodging, Entertainment, Souldiers, Ships, Money, Arms, Ammunition, or Victuals to be given, yielded or afforded

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forded unto such Enemies, Rebels or Fugitives, but shall expressly and effectually oppose, withstand, and really hinder the same.

X.

Item, It is agreed, That if either of the said Common-Wealths shall by their publique and Authentick Letters, give notice, signify, or declare to the other Common Wealth any person or persons, to be, and have been their Enemie or Enemies, Rebel or Rebels, Fugitive or Fugitives, and that they are, or reside within the others Jurisdictions, Territories, Dominions, Lands, Ports or Precincts, or therin be hid, or shelter themselves; Then that Common Wealth which shall receive such Letters, or unto which such notice shall be given, and declaration made concerning such Rebels, Enemies or Fugitives, shall within the spate of twenty eight dates to be reckoned immediately from the day of the aforesaid notice given, charge and command such Enemy or Enemies, Rebel or Rebels, Fugitive or Fugitives to withdraw and depart out of their Jurisdictions, Territories, Dominions, Lands, and Precincts, and every of them. And if any such Enemy, Rebel or Fugitive shall not withdraw and depart, as aforesaid, within the space of fifteen dates after such charge and command given, That he or they shall be punished with death and loss of Land and Goods.

XI.

XI.

That no Rebel or Declared Enemy of the Common-Wealth of England, shall be received into any of the Castles, Towns, Ports, Creeks, or other places privileged, or not privileged, which any person of What degree and quality soever he be, or shall be, hath, or hereafter shall have and possess by any Title whatsoever, within the Dominions and Jurisdictions of the United Provinces; nor shall be suffered by any person of What degree and quality soever to be received thereinto, or abide therein. Neither shall the Lords the States General of the United Provinces, permit or suffer in any of the places aforesaid, any assistance, counsel, or favor, in Ships, Men, Money, Victuals, or in any other manner to be given by any person, of What degree and quality soever to any such Rebel, or declared Enemy, but shall openly, and expressly prohibite and hinder the same. And if any person or persons of What degree and quality soever living or remaining within the Jurisdictions of the United Provinces, or under their power, do to the contrary hereof: Then all & every such person and persons so doing, as aforesaid, shall for their respective lives, forfeit and lose all such Castles, Towns, Villages, Lands, and other places, which they or any of them shall at such time have, or pretend to have, by any Title whatsoever. And likewise that no Rebel or declared Enemy of the States of the United Provinces shal be received into any of the Castles, Towns, Ports, or other places privileged, or not privileged, which any person or persons of What degree

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or quality soever he or they be, have or shall have, hold or possess within the Common-Wealth of England, or Dominions thereof, by any title whatsoever; nor be suffered by any person or persons to be received thereinto or abide therein. Neither shall the Common-Wealth of England, permit or suffer, in any of the places aforesaid, any counsel, assistance or favor in Ships Men, Mony, Victuals, or in any other manner to be given by any such person or persons of what degree or quality soever he or they be, to any such Rebel or declared Enemy; but shall openly and expressly prohibite and hinder the same. And if any of the people of the Common-Wealth of England, or under their power, shall do or attempt any thing to the contrary hereof: That every such person or persons, shall for their respective lives, forfeit and lose all such Castles, Towns, Villages, Lands and other places, which they or any of them shall at such time have or pretend to have, by any Title whatsoever.

XII.

That the Common-Wealth of England, and the People and Inhabitants thereof, and the said United Provinces, and the Subjects and Inhabitants thereof, of what quality or condition soever they be, shall be bound to treat each other on both sides with all Love and Friendship: That they may come by Water or by Land, into each others Lands, Towns, or Villages, Walled or unwalled, fortified or unfortified; their Havens, and all their respective Dominions in Europe with freedom and security, and in them remain and continue

nue as long as they please, and there without hinderance buy Victuals for their necessary use. And may also Trade and Traffique, and have commerce in any Goods or Commodities they please, and the same bring in and carry out at their pleasures, paying always the Customs that shall be setled, and saving always all and singular the Laws and Ordinances of either Common-Wealth respectively. Yet so that the People and inhabitants of either, using Commerce in the Countries and Dominions each of other, shall not be constrained to pay any greater Customs, Tolls, or Tributes then according to such proportion as other Strangers exercising Commerce in the same places pay.

XIII.

That the Ships and Vessels of the said United Provinces, as well Men of War as others meeting with any of the Ships of War of this Common-Wealth in the British Seas shall strike their Flag and lower their Top-sail in such manner as hath ever been at any time practised heretofore under any former Government.

XIV.

Item, for the greater freedom of Commerce and Navigation, it is agreed, That neither of the said Common-Wealths shall receive into any of their Havens, Cities or Towns, or permit, or suffer that any of the People or Inhabitants of either of them respectively

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spectively do receive, keep, harbor or give any assistance or relief unto any Pirats or Sea-Rovers, but shall cause both the said Pirates and Rovers, and also their Receivers, Concealers and Assistants to be prosecuted, apprehended, and condignly punished, for terror to others. And all Ships, Goods and Merchandize, by them Piratically taken, and brought into the Ports of either State, that shall be found in being; yea, though they have been sold, shall be restored to the right Owners, or made good to them, or such as have their Letters of Attorney or Procuration to claim the same; due proof of the Proprietors being first made in the Court of Admiralty according to Law.

XV.

That if either the Common-Wealths of England, or the United Provinces of the Low-Countries shall hereafter make any Treaty of Amity, Alliance or Friendship with any other Common-Wealth Princes, or States, the one shall comprehend the other, and the Dominions therein, if they shall desire to be comprehended: And of all such Treaties each shall be bound to give notice to the other.

XVI.

That if it shall happen that during the Amity, Confederation and Alliance, any thing shall be acted or attempted by any of the People or Inhabitants of either of the said Parties against this Treaty, or any part thereof, either by Land or Sea, or other waters, this Amity, Confederation & Alliance between the said Common-Wealths shall

shall not be herby interrupted or broken off, but shal continu & remain in its ful & Whole power only in such case those particular persons, who have offended against the said Treaty, shall be punished and no other, And that justice shall be done, & satisfaction made to all persons concerned within twelve months after demand thereof made, upon all such persons who shall have don any thing against this Treaty, by Land or Sea, or other Waters in any part of Europe, or any place within the straights of Gibralter, or in America, or upon the Coasts of Africk, or in any Lands, Illands, Seas, Creeks, Bayes, Rivers, or any other places on this side the Cape of Good-Hope. And in all places Whatsoever as aforesaid, beyond the said Cape, Within 18. months nert after demand of Justice, shall so as aforesaid be made: And in case the persons so as aforesaid offending, shall not appear and submit themselves to justice, and make satisfaction within the terms respectively here before limited, the said persons shall be declared Enemies to both Commonwealths, and their Estates, Goods, and effects whatsoever, shall be confiscate and employed to a due and full satisfaction for the wrongs by them done, and their persons be liable to such further punishment, When they shall come within the power of either State, as the quality of their offence shall deserve.

XVII.

That the people of the Commonwealth of England & the Dominõs thereof, may freely unmolested, & securely travel in & through the Countries, & singular the Dominions of the

 united

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united Provinces in Europe, by land or by water, to any place in them, or beyond them, and pass by any of their Towns, Garisons, or Forts in any places Within the Netherlands Whatsoever, or elseWhere, in any of their Dominions in Europe, to follow their Traffique in all places there: as also their Factors and Servants armed or unarmed; but if armed, not above forty men in Company, as well Without as With their Goods and Merchandizes Whither they please. And likewise the people and Inhabitants of the united Provinces of the Netherlands may enjoy the same liberties in all the Dominions of the Commonwealth of England in Europe. They and either of them observing and conforming in such their Trade and traffique to the Laws and Ordinances of each Commonwealth respectively.

XVIII.

Item, Agreed, That if the Merchant Ships belonging to the people and subjects of one or the other side, shall through tempest, Pirates, or any other necessity, be driven into Port within the Dominions of either, it shall be free for them to depart thence securely with their Ships and Merchandize, Without payment of any Customs or other duties, provided they break not bulk, or expose any thing to sale, nor shall they be subjected to any trouble or visitation, so be it they receive not aboard any persons or goods, nor shall do any thing contrary to the Laws, Statutes & Customs of that place whither they come into Port as aforesaid.

That

XIX.

That the Merchants, Masters, Pilots, or Mariners of either Commonwealth, their Ships, Goods, Wares, and Merchandizes, shall not be seized or arrested in the Lands, Ports, Havens, and Rivers of the other, by vertue of any general or particular Command, for any warlike or other service, except upon inevitable necessity, and upon just satisfaction for the same, provided that hereby shall not be excluded the Arrests and seizures in the ordinary Way of Law & justice of each Commonwealth respectively.

XX.

That the Merchants on both sides their Factors & Servants, as also the Shipmasters and other Seafaring men may as wel traveling and returning by Ships over the Seas and other Waters, as in the Havens of each other, and going on shoare, carry and use for the defence of themselves and their Goods, all sorts of Arms for defence and offence; But being come to their several Lodgings or Inns, they shal lay down their Arms there, and so leave them til they go again to the ship, or on board.

XXI.

That the men of War of either Commonwealth, meeting or overtaking any Merchant ship or ships at Sea, belonging to the other, or to the people or Inhabitants thereof, holding both one course, or going both one way, shall be bound, so long as they keep one course together, to take them under their protection, and to defend them against all and every that shall attempt upon them.

 That

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XXII.

That if any Ship or Ships of the People or Inhabitants of either CommonWealth, or of a Neuter, shall be taken in the Havens of either by any third party, being none of the people or Inhabitants of either Common-Wealth; They, in or from whose Havens and Liberties the said Ships shall be taken, shall be bound together with the other party, to endeavor that the said taken Ship or Ships may be followed, brought back, and restored to the Owners, but all at the charges of the Proprietors or interessed.

XXIII.

That Searchers and other Officers of that nature, on both parts, shall, in execution of their Offices, regulate themselves according to the Laws of each CommonWealth respectively, and shall not leavy or take more than they are allowed by their Commission or Instructions.

XXIV.

That in case any Wrong or injury be done by either CommonWealth, or by the people or Inhabitants thereof, against the people or Inhabitants of the other, either against any the Articles of this Treaty, or against Common right, there shall yet no Letters of Reprizals Mark or Counter-mark, be granted by the one or the other CommonWealth, till first Justice be there sought in the ordinary course of Law; and in case that Justice be there refused or delayed, then, that Demand be made thereof from the supreme power of the CommonWealth, whose People or Inhabitants have

have suffered Wrong, or from such as the supreme power shall depute, to that Common-wealth where Justice is as aforesaid denied, or delaid, or to such power as shall bee by them appointed to receiv such Demands, that all such differences may bee composed amicably, or in the ordinary court of Law. But if there shall bee yet delay, and that Justice bee not don, nor satisfaction given within three moneths after such Demand made, that then Letters of Reprizall, Marque or Countermarque may bee granted.

XXV.

That all persons on either side that shall go out to Sea upon particular Commissions shal bee bound before they take out their Commissions to put in good & sufficient Security by responsible Men not of the Ships Company, before the Judges of the Court whence the said Commission is issued, that they shall do no Wrong or injury to the People or Inhabitants of either side.

XXVI.

That the People of either side shall have free access to each others Ports and may there stay and thence depart not onely with their Merhants Ships & such as are laden, but also with their shipsof War, whether belonging to the State or to such as have obtained particular Commissions, whither they shall arrive either by stress of Weather, or to avoid the danger of the Sea, or for repairing their Ships, or for provision of victuals, So bee it they exceed not the

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number of eight Ships of War when they com in of their own accord, nor that they continue or make stay in the Havens or about the Ports, longer than for the reparation of their Ships, buying in of victuals, or for provision of other necessaries. And whensoever any greater number of Ships of War than is above specified shall have occasion of access into those Ports, then shall it not bee lawful for them to make any entrance, without first obtaining leav for this purpose from those to whom the said Ports belong, Unless they bee constrained by Weather or any other force or necessity for avoiding the danger of the Sea. And when it shall so happen, they shall presently make known the caus of their coming to the Governor or chief Magistrate of the place and shall make no longer stay there then the Governor or Chief Magistrate shall permit, and during their stay in those Ports they shal commit no hostile Act, nor do any thing to the prejudice of the said Ports.

XXVII.

That the Lords the States General of the United Provinces shall take care that Justice bee don upon those who were Authors or Abettors of the Murther committed upon the English in Amboyna, as the Commonwealth of England was pleased to qualifie it, if any of them bee yet alive.

XXVIII.

Wheras certain English Ships and Goods have been seized and detained within the Dominions of the King of Denmark, since the 18. day of May in the year 1652. it is on both sides concluded, accorded and agreed, and the Lords

Lords the States General have obliged themselvs, as they also do by these presents, That restitution shall bee made of all & singular the English Ships & Goods, deteined as aforesaid, and remaining yet in specie; together with the true and just price of such as are sold, imbezled, or otherwise disposed of, within fourteen days after the arrival of the Merchants and Masters interessed therein, or their Assigns, for the receiving of them. And also that Damages bee given for the losses sustained by the English, by reason of the said detention; according to what shall bee arbitrated and awarded by Edward Winslo, James Russel, John Becx, William Vander Cruyssen, Arbitrators indifferently chosen, as well on the part of the Lord Protector, as the said States General (the form or instrument of which Arbitration is already agreed upon) to examine and determine the demands of the Merchants, Masters and Owners, to whom the said Ships, Goods, and Damages appertain. which Arbitrators are to meet at Gold-smith's-Hall here in London, the 27. of June next, old Style, or sooner if it may bee; and shall the same day make solemn Oath before the Judges of the High Court of Admiralty of England, that they will proceed without respect or relation had to either State, or any particular Interest whatsoever. And moreover, the foresaid Arbitrators shall from the first day of August next, unless they agree upon sentence sooner, bee shut up in a chamber by themselvs, without Fire, Candle, Meat, Drink, or any other Refreshment, till such time as they come to an

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an Agreement concerning the Matters referred to them: And the Sentence which they shall award shall bee obligatory to both Parties. And the States General of the United Provinces do firmly oblige themselvs by these Presents, to execute and perform the same; as also, to pay such sum of Moneys here at London, as the said Arbitrators shall adjudg to bee paid, for the use of the said Owners, to such Person or Persons as the Protector shall nominate, within 25. dayes after Adjudication made. And the said States General shal, within two dayes after the Instruments of Ratification of the said Articles of Peace are mutually delivered, pay here at London the sum of 5000 li. sterling, towards the Charges of the Merchants, Masters, or their Assigns, for their Journey to Denmark, and the sum of 20000. Rix Dollars, to such Persons as his said Highnes shall appoint, within six dayes after the arrival of the said Persons there, for the use of the Merchants, Masters and Owners, towards repairing their Ships, and fitting them for Sea. Which said sums shall bee accounted in part of paiment of such sum, as shall bee awarded by the said Arbitrators. And that Caution and Security bee given (the form of which Caution is already agreed upon) by sufficient and responsible Men, living here in London, and binding themselvs in an Obligation of one hundred and forty thousand pounds sterling (Which Obligation is to bee delivered at the same time with the Instrument of Ratification) that Restitution shall bee made according to the

the premisses, and that the intimation and payment as well of the 20000. Rix Dollars, as of such sum, or other things, as shall bee adjudged and determined, as aforesaid, shall on their part bee duly performed. And if all and singular the Conditions bee not really and effectually performed on the part of the Lords the States General in manner and time aforesaid, then the said Obligation shall be forfeited, & the said sum of one hundred & forty thousand pounds sterling shall be paid to such person and persons as his Highnes shall nominate, to the end the losses of the Merchants, Masters and interessed may bee satisfied.

XXIX.

Item, That whereas certain questions and differences have arisen between the Common Wealth of England and the King of Denmark, by reason of the detention of the Ships and Goods mentioned in the former Article, and the States General of the United Provinces have undertaken the restitution of the said ships and goods, and agreed to give security and caution for the dammages in the manner exprest in the former Article, It is agreed and concluded that the same being done and performed, all questions strifes, wrongs and acts of hostilitie between the said Common-Wealth and King, by reason of the said detention, shall cease and be for ever forgotten, in such manner, that the said King with his Kingdoms and Dominions shall, as a friend, bee comprehended and included in this Treaty and Confederation, so as to be restored to the same friendship and alliance with either Common-Wealth, in which former-

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ly he was, before the said detention, as if it had never been. As also his Deputies and Ambassadors shall be admitted with like honor as the Deputies and Ambassadors of other States are being friends and Allies.

XXX.

Item, Agreed, that, at the time of the deliverie of the instruments of Ratification, four Commissioners shall bee nominated on both sides to meet here at London, upon the eighteenth day of May next old style, Who shall bee authorized and impowred, as also by these presents they are authorized and impowred to examin and determin all the losses & injuries which either side alleges to have sustained from the other since the yeer one thousand six hundred and eleven, unto the eighteenth day of May, 1652 old style, as well in the East-Indies, as in Groenland, Muscovy, Brazeel, or in any other place: the particulars of all which are to be delivered into the Commissioners nominated as above, before the said eighteenth day of May under this restriction, that after the said day prefixed no new allegations shall bee admitted. And if the above-said Commissioners shall not within three moneths space, to bee accounted from the said eighteenth day of May, come to an agreement, concerning the differences aforesaid delivered in Writing and expressed in particular. That in such case the aforesaid differences shall be submitted, as by these presents they are submitted, to the judgment and arbitration of the Protestant Cantons of Swisserland, Who by an Instrument for this purpose (the form of which is already agreed upon) shall bee desired to take upon them that Arbitration, and appoint

point like Commissioners impowred and instructed to give final judgment thereupon within six moneths next following after the expiration of the three moneths aforesaid. And whatsoever the said Commissioners or the major part of them, shall award and determin within the said six moneths, shall oblige both parties, and be performed accordingly.

XXXI.

It is also agreed, That both Parties shall firmly and truly perform and observe this present Treaty, and every Article and Thing conteined and concluded therein; and shall cause the same to bee performed and observed by their respective People, Subjects and Inhabitants.

XXXII.

For better Security that this Peace and Confederation shall bee truly and sincerely performed on the part of the Lords the States General, their People and Subjects, it is agreed and concluded, and the Lords the States General, do by these presents agree and firmly oblige themselvs, that all and singular, Whom, either They the States General, or the States Provincial, shall at any time elect, constitute, or appoint Captain General, Chief Governour, or Stadtholder, Commander of their Army or Forces at Land, or Admiral of any of their Fleets, Ships, or Forces at Sea, shall confirm by Oath this Treaty, and all the Matters and Things therein contained, and shall promise by Oath to observe, and as much as in him or them lyes, inviolably to perform and keep

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the same. And as far as concerns them, command the same to bee performed and put in execution, and take care that they bee performed and executed by others accordingly.

XXXIII.

Lastly, it is agreed, That the present Treaty, and all & singular the Matters and Things therein contained & agreed on, shall, within fifteen dayes next ensuing, or sooner, if it may bee, be confirmed and ratified in due and authentick form, by the said Lord Protector, and the said States General of the United Provinces by their Letters Patents under their Great Seals, and that Instruments of Ratification shall bee delivered interchangeably, within the time aforesaid. And furthermore, that this Treaty and Confederation shall immediately after delivery of the Instruments, bee published according to the usuall Solemnity, and in the places accustomed; and that all Acts of Hostility shall ceas on both sides from that time.

MVSEVM BRITANNICVM